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Date: January 6, 2004

Docket No.: 2039-0169P

MS PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☐ continuation ☒ divisional ☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of pending prior Application No. 09/887,757 filed on July 21, 2001, the entire contents of which are hereby incorporated by reference,

by

Marco RADICE, Andrea PASTORELLO, Alessandro PAVESIO, and
Lanfranco CALLEGARD

for

INJECTABLE HYALURONIC ACID DERIVATIVE WITH PHARMACEUTICALS/CELLS

1. ☒ Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).

2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY		SMALL ENTITY	
BASIC FEE			\$770.00		\$385.00	
	NUMBER FILED	NUMBER EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	6-20 =	0	x 18 = \$0.00		x 9 = \$0.00	
INDEPENDENT CLAIMS	2-3 =	0	x 86 = \$0.00		x 43 = \$0.00	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00		+ \$145.00	
			TOTAL		\$770.00	
					\$0.00	

3. ☐ A check in the amount of \$0.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☒ Please charge Deposit Account No. 02-2448 in the amount of \$770.00. A triplicate copy of this request is enclosed.
5. ☐ Enclosed is/are _____ (____) sheet(s) of formal drawings and/or photographs.
- 6a. ☐ A statement claiming small entity status was filed in prior Application No. 09/887,757 on _____. See the attached copy of the statement claiming small entity status.
- 6b. ☐ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to Fidia Advanced Biopolymers, S.r.l.
8. ☐ A Preliminary Amendment is enclosed.
- 9a. ☐ Priority of Application No(s). _____ filed in _____ on _____ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on _____.
- 9b. ☒ Priority of International Appln. PCT/IB99/02077 filed on December 21, 1999 under the Patent Cooperation Treaty and Italian Application No. PD98A00298 filed in _____.

Italy on December 21, 1998 under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

10. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
11. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000
or
Customer No. 02292
12. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 09/887,757 in order to establish co-pendency with the present application.
13. ☒ Also enclosed herewith is the following:

Express Mail Certificate (EV 404625113 US)

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Leonard R. Svensson
by *Leonard R. Svensson* #46,183
Leonard R. Svensson, #30,330

LRS/KR/sml
2039-0169P

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Attachment(s)